



# **CITY COUNCIL**

## **Meeting Agenda**

**REGULAR MEETING  
COUNCIL CHAMBERS**

**MONDAY, DEC 17, 2007  
7:00 P.M.**

### **OPENING MATTERS**

**CALL TO ORDER  
INVOCATION: TBA  
PLEDGE OF ALLEGIANCE  
ROLL CALL**

### **PROCLAMATIONS AND PRESENTATIONS**

### **PUBLIC COMMENT – AGENDA MATTERS:**

*Citizens have the opportunity to address the Council, by registering with the City Clerk before the start of the meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or who shall become unruly while addressing Council may be called to order by the Presiding Officer, and may be barred from speaking before Council, unless permission to continue speaking is granted by the majority vote of Council.*

*All comments by the public shall be made from the speaker's podium. Citizens attending the meeting may not cross into the area beyond the podium. Any materials to be distributed to Council must be given to the City Clerk before the meeting is called to order.*

*Those commenting on an agenda business shall speak at the beginning of the meeting and shall limit their remarks to 5 minutes. Those commenting on general matters shall speak after the legislative business is concluded and shall limit their remarks to 3 minutes.*

*No comments shall be made from any other location except the podium, and anyone making "out of order" comments may be subject to removal. There will be no demonstration at the conclusion of anyone's presentation. Citizens may not ask questions of Council member or other elected or public official in attendance.*

## **APPROVAL OF AGENDA AND MINUTES**

**AGENDA:** Council Meeting of December 17, 2007.

### **4. CONSENT AGENDA**

**Award of Contract-** to KCBA, Eight East Broad Street, Hatfield, PA, 19440, at a total contract price of \$232,135, for design services for the new Southwest Fire Station. (Purchasing Coordinator)

### **5. ADMINISTRATIVE REPORTS**

### **6. FINANCE REPORT**

### **7. REPORT FROM OFFICE OF THE AUDITOR**

### **8. REPORTS FROM DIRECTORS & BOARDS AUTHORITIES AND COMMISSIONS**

### **9. ORDINANCES FOR FINAL PASSAGE**

#### **Tabled Pending Further Discussion:**

**Bill No. 16-** amending the City of Reading Codified Ordinances by regulating advertisements for the sale of real estate in the City of Reading. **(Waltman/Goodman-Hinnershitz)** *Introduced and tabled at the 03/12/07 meeting of Council.*

**Bill No. 58-** amending Chapter 1 of the City of Reading Codified Ordinances, Charter Board Ordinance, Section 599.25: Enforcement, Violations and Penalties. **(Council Staff/Solicitor)** *Introduced at the 07/09/07 meeting of Council; tabled at the 07/23/07 meeting of Council pending discussion with the Charter Board.*

**Bill No. 64-** renaming of sections of River Road and Front Street – from Schuylkill Avenue to Riverfront Drive – to Riverfront Drive. **(Council Staff)** *Introduced at the 08/13/07 meeting of Council; tabled pending further discussion, at the 08/27/07 meeting of Council.*

**Bill No. 65-** amending the purchasing procedures contained in the City of Reading Codified Ordinances. **(Spencer)** *Introduced at the 08/13/07 meeting of Council; tabled at the 08/27/07 meeting of Council and referred to the Finance Committee for review.*

**Bill No. 76-** amending the City of Reading Zoning Ordinance to permit Fire Houses by Special Exception in R-PO (Residential Professional-Office), C-H (Commercial Highway), M-C (Manufacturing Commercial) and H-M (Heavy Manufacturing) Zoning Districts. **(Solicitor/Zoning Administration/Planning)** *Introduced at the 10/22/07 meeting of Council; tabled pending the holding of a public hearing and expiration of comment period.*

**Bill No. 85** - amending the Codified Ordinances of the City of Reading by adding to Chapter 10, Health and Safety, a Health and Safety Inspection Ordinance, which will require the inspection of all properties within the City of Reading after any sale or transfer of property. ***Introduced at the 11/26/07 meeting of Council.***

## **10. INTRODUCTION OF NEW ORDINANCES**

<p><b>Ordinance-</b> vacating a portion of Wyomissing Avenue between Brookline Street and Lancaster Avenue. <b>(Solicitor)</b> <i>This Ordinance must lay over for a period of 28 days pursuant to 53 PS 37916</i></p>
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## **11. RESOLUTIONS**

**Resolution-** authorizing the assumption of outstanding loan balance for the Medical Arts Building. **(Community Development/Solicitor)**

## **PUBLIC COMMENT – GENERAL MATTERS**

## **COUNCIL BUSINESS / COMMENTS**

## **COUNCIL MEETING SCHEDULE**

*Committee of the Whole-* Mon, December 17<sup>th</sup>, Council Office 5:00p.m.

*Regular Meeting-* Mon, December 17<sup>th</sup>, Council Chambers 7:00p.m.

*Meeting with Pagoda Architects-* Tues, December 18<sup>th</sup>, Pagoda, 5:00p.m.

*Meeting with TRIAD Associates-* Wed, December 19<sup>th</sup>, Council Office, 4:00p.m.

*No Council Meeting-* Mon, December 24<sup>th</sup>

*City Hall Closed-* Tue, December 25<sup>th</sup>

*Mayor and Council Inauguration-* Sun, January 6<sup>th</sup>, Reading High, 2:00p.m.

*Finance Committee Meeting-* Mon, January 7<sup>th</sup>, Council Office, 5:00p.m.

*Administrative Oversight Committee Meeting-* Mon, January 7<sup>th</sup>, Council Office, 5:00p.m.



# AGENDA MEMO

## FINANCE DEPARTMENT

**TO:** City Council  
**FROM:** Heather Dunkle, Purchasing Coordinator  
**PREPARED BY:** December 17, 2007  
**AGENDA MEMO DATE:** December 12, 2007  
**RECOMMENDED ACTION:** Awarding of Contract for Design Services for the new Southwest Fire Station for the Department of Fire and Rescue Services.

### RECOMMENDATION

The recommendation is to award the contract to KCBA, Eight East Broad Street, Hatfield, PA, 19440, at a total contract price of \$232,135.

### BACKGROUND

Proposals for Design Services for the new Southwest Fire Station were received on November 21, 2007. The proposals were reviewed by a selection committee consisting of the Fire Chief, the Public Works Director, two representatives from Burkey Construction (construction manager on the project), which ranked each firm on a series of criteria. The selection committee conducted interviews as well. Though KCBA was not the low bidder, their evaluation and presentation/interview was more superior to the other firms. KCBA conveyed an understanding and excitement of how important the design of this station will be due to its location in the busiest intersection in Berks County and at the entrance to the southwest part of the City. They also had, by far, better experience in the design of fire stations with two of those fire stations being local; one in West Reading and one in Spring Township.

### BUDGETARY IMPACT

The Department of Fire and Rescue Services and Accounting have confirmed there are sufficient funds in the budget account code 34-09-34-4801 to cover the contract with \$846,769.80 remaining after contract funds are encumbered.

### PREVIOUS ACTION

None.

**SUBSEQUENT ACTION**

Formal action by Council is needed to award the contract at the December 17, 2007 meeting.

**RECOMMENDED BY**

The Mayor, Managing Director, Director of Finance, Fire Chief and Purchasing Coordinator.

**RECOMMENDED MOTION**

Approve/Deny the recommendation for the purchase of Design Services for the new Southwest fire station in order that the contract may be awarded to KCBA.

BILL NO. \_\_\_\_\_-2007

**A N O R D I N A N C E**

**AN ORDINANCE AMENDING THE CITY OF READING ZONING ORDINANCE PER EXHIBIT "A," TO PERMIT FIREHOUSES BY SPECIAL EXCEPTION IN THE R-PO (RESIDENTIAL PROFESSIONAL-OFFICE), C-H (COMMERCIAL HIGHWAY), M-C (MANUFACTURING COMMERCIAL) AND H-M (HEAVY MANUFACTURING) ZONING DISTRICTS**

**THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:**

SECTION 1. The Zoning Ordinance of the City of Reading is amended to permit firehouses by special exception R-PO (RESIDENTIAL PROFESSIONAL-OFFICE), C-H (COMMERCIAL HIGHWAY), M-C (MANUFACTURING COMMERCIAL) AND H-M (HEAVY MANUFACTURING) zoning districts per attached Exhibit "A."

SECTION 2. All other provisions of the City of Reading Zoning Ordinance, Section 27-101 et seq. of the City of Reading Codified Ordinances shall remain unchanged and in full force and effect.

SECTION 3. Effectiveness of Ordinance. This Ordinance will become effective in accordance with Charter Section 219.

Enacted \_\_\_\_\_, 2007

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

(LAW DEPT.)

# **EXHIBIT A**

## FIRE STATIONS

[illegible]



\* front yards may be reduced in depth to an average alignment of the majority of the existing buildings on the same block frontage. Side yards may be eliminated, when attached to an abutting structure with a zero setback

27-1202.17 FIRE STATION - may be permitted by special exception in the R-PO, C-H, M-C and H-M zones provided that the following standards are met, along with any other stipulations set forth by the Zoning Hearing Board.

A) a proposed social hall and/or benefit association shall be considered as an additional "principal use" for the purposes of this Part;

B) a complete plan of proposed traffic signalization and disruption devices, lighting, alarms, sirens, public address systems, and other infrastructure commonly associated with fire stations, shall be provided to the Planning Commission as part of the review required by §303.a.2 of the Pennsylvania Municipalities Planning Code and/or land development plans;

C) fire fighting and rescue vehicles and apparatus may be staged/displayed within their station's front yard. Fire stations are hereby exempted from the driveway width standards set forth in §§27-1503.2.B and -1503.3.A, and the setback consideration of §27-1602.2.

27-1603.1.CC Fire stations: one space for each employee on the largest working shift, in addition to any spaces reserved for City-owned vehicles and apparatus. An additional 20% shall be provided for visitors.

27-2202 FIRE STATION - any building owned, occupied or managed by the City's Department of Fire & Rescue Services, used primarily for the housing and readiness of fire fighting and rescue vehicles and apparatus, including but not necessarily limited to engines, ladders and ambulances. Fire stations may include residential accommodations for on-duty personnel, when limited to 20% of the station's total gross floor area and in compliance with applicable building codes.

**BILL NO. \_\_\_\_\_ 2007**

**AN ORDINANCE**

**AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF READING BY ADDING TO CHAPTER 10 – HEALTH AND SAFETY THE HEALTH AND SAFETY INSPECTION ORDINANCE AND REQUIRING THE INSPECTION OF ALL PROPERTIES WITHIN THE CITY OF READING AFTER ANY SALE OR TRANSFER OF THE PROPERTY.**

**WHEREAS**, substandard and deteriorated properties have had a detrimental effect upon the safety and stability of City neighborhoods, creating environmentally undesirable and detrimental conditions that risks the health, safety and well being of City residents and neighboring communities; and

**WHEREAS**, improving the safety and stability of all City neighborhoods through periodic inspection of all properties, commercial, industrial and residential, in the City to ensure that such premises conform to the City's Property Maintenance Code and other applicable laws; and

**WHEREAS**, inspection of all properties, commercial, industrial and residential, in the City as established by this ordinance, will protect occupants from dangerous and substandard environments and will create neighborhood stability that will improve the quality of life and a desirable community for all people who live and work in the City of Reading.

**THEREFORE THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1.** Amending the Codified Ordinances of the City of Reading by adding to Chapter 10 - Health and Safety the Health and Safety Inspection Ordinance which requires the inspection of all properties, residential, commercial and industrial, as attached in Exhibit A.

**SECTION 2.** This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, or repassage by City Council over the Mayor's veto, in accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in Section 221 of the City of Reading Home Rule Charter.

Enacted \_\_\_\_\_, 2007

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk  
(*Councilor Sterner & Council Staff*)

Submitted to Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Received by the Mayor's Office: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

Vetoed by Mayor: \_\_\_\_\_

Date: \_\_\_\_\_

## **EXHIBIT A**

### **PART 12**

#### **HEALTH AND SAFETY INSPECTION ORDINANCE**

**§10-1200. Declaration of Purpose.** The City Council finds that the establishment of a periodic inspection program for all City properties, commercial, industrial and residential, is necessary to protect the public health, safety, and welfare by ensuring the proper maintenance of all City buildings, by identifying and requiring correction of substandard conditions, and by preventing conditions of deterioration and blight that could adversely effect economic conditions and the quality of life in the City of Reading.

**§10-1201. Definitions.**

**AGENT** - any person who for monetary or other consideration aids a seller in the sale of property. Whenever used in any clause prescribing or imposing a penalty, the term "agent," as applied to partnerships and associations, shall mean the partners or members thereof and, as applied to corporations, the officers thereof. Liability shall be limited to failure to notify the seller of the obligations imposed by this Part.

**AGREEMENT** - written agreement or written instrument which provides the City with the ability to perform a Health and Safety Inspection.

**BUYER** - an individual who acquires legal or equitable title pursuant to an agreement of sale.

**CERTIFIED INSPECTOR** - an individual certified by the Codes Enforcement Office to perform health and safety inspections. Such inspector shall, at a minimum, be certified as per Pennsylvania State Law in the relevant passages of the Pennsylvania Consolidated Statutes Title 68, Real and Personal Property, Part III, Residential Real Property, Chapter 75, Home Inspections.

**CITY INSPECTOR** - an employee or contractor engaged by the City of Reading to do, among other things, health and safety inspections.

**CODES OFFICE** - City of Reading Codes Enforcement Office.

**CORRECTIVE DIRECTION or DIRECTION** - a written notice issued by the Codes Enforcement Office directing any repair or remediation, corrective or other action relating to any deficiencies as set forth in a report which may include a time frame within which any such action must be taken.

**DEFICIENCIES** - those items indicated on a health and safety inspection report which require repair, remediation or corrective action and/or are hazardous conditions.

**DWELLING UNIT or UNIT** - a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

**INDIVIDUAL** - Any person, partnership, association, corporation or other entity.

**OCCUPANCY CERTIFICATE** – the [certificate](#) issued by the City of Reading to the owner of a building indicating that the building is in proper condition to be occupied.

**PROPERTY** – all commercial, industrial and residential buildings within the City of Reading and any and all building or other improvement(s) on the subject property.

**REHAB PLAN** – work plan to correct the dwelling unit’s deficiencies identified by the Codes Enforcement Office.

**RENTAL DWELLING** - A building arranged, designed, and intended to provide two (2) or more dwelling units. Individual dwelling units may share party walls with other units and either have common outside access areas or have individual outside access areas. Types of such buildings shall include, but shall not be limited to, townhouses, apartments, and/or condominiums.

**REPORT ACKNOWLEDGEMENT** - a written document acknowledging responsibility to correct any deficiencies set forth in a report.

**HEALTH AND SAFETY INSPECTION REVIEW**- an inspection to determine the condition of a property in accordance with such standards of minimum habitability and safety as shall be determined by the Codes Enforcement Office, which report shall designate such conditions as require repair or remediation and those that present a hazardous condition for the current use of the property. A health and safety inspection report shall be valid for a period of 6 months from the date of such inspection.

**HEALTH AND SAFETY INSPECTION REPORT or REPORT** - a report issued by a City Inspector setting forth the results of a Health and Safety Inspection which shall include the designation of such conditions as shall require repair or remediation and any hazardous conditions.

**REHABILITATION (“REHAB”) PLAN** - a buyer (or in the event a sale is not consummated, a Seller), may, in the event they deem they cannot meet the time frames to correct any violations as set forth in any correction directive from the Codes Enforcement Office specifying the time frame for the repair or remediation of any deficiencies, may request in writing that the Code Enforcement Office extend the correction or remediation time or times set forth in such correction directive. Such request shall specify the reasons for such request(s) and the suggested time frames for such correction(s) or remediation. If accepted by the Codes Enforcement Office, the party requesting same shall be bound to complete the work within the time frame as agreed to by the Codes Enforcement Office. If not accepted by the Codes Enforcement

Office, the work shall be completed within the time frame set forth in the correction directive.

**SALE** - the transfer of any legal or equitable interest in or title to property, including exchanges of properties.

**SELLER** - the owner of the property that will be transferred or sold.

(Ord. 64-2005, 10/10/2005, §1)

**SETTLEMENT** – the culmination of a particular transaction involving real property which results in the transfer or conveyance of a property from one party to another.

**SINGLE FAMILY DWELLING** – a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. A single unit may be incorporated within a series of row homes sharing a common fire wall. Types of such buildings shall also include mobile and modular units.

#### **§10-1202. Health and Safety Inspection Required.**

1. A Health and Safety Inspection shall be completed in accordance with the provisions of this Part within six months of the settlement of any industrial, commercial or residential real estate property within the City of Reading, except solely where the sale occurs within 6 months of the date of issuance of a code compliance letter. At the time an agent undertakes to represent a seller in the sale of property, the agent shall inform the seller of the requirements of this Part.
2. At settlement the buyer shall sign an agreement that will initiate the inspection of the commercial, industrial or residential property. A copy of this agreement will be mailed to the City of Reading Codes Enforcement Office
3. The Codes Enforcement Office shall, within 15 business days from the receipt of the agreement or inspection request from the property owner or buyer, shall schedule an inspection of the residential dwelling.
4. Upon the completion of a health and safety review report, a copy of the report shall be personally delivered to or mailed by certified mail, return receipt requested, to the property. A copy of this report shall also be filed in the Codes Enforcement Office.
5. At any time after the receipt of the report, the Codes Enforcement Office may undertake such further actions or inspections as it deems appropriate consistent with the applicable Ordinances of the City of Reading including, but not limited to, a full inspection for any applicable codes compliance and/or the issuance of a correction directive based upon the report to repair or remediate or otherwise correct any deficiencies indicated in the report within such time as may be set forth in the correction directive.
6. In the event a correction directive is issued, the property owner or buyer may request a rehab plan. The Codes Enforcement Office shall, within 15 days of receipt of a request

for rehab plan, indicate in writing whether the plan is acceptable and, if any provisions are not acceptable, indicate what modified time periods, if any, would be acceptable. The property owner shall be bound to make any corrections or undertake any such remediation as set forth in the correction directive in the time frame set forth in the correction directive, subject to any modification in the correction directive as may be accepted by the Codes Enforcement Office.

7. Any review report shall remain valid for a period of 6 months from the date of such report and may be relied upon during such period for the purposes of this Part.

**§10-1203. – Inspection Procedure:** Upon receipt of the agreement, the Codes Enforcement Office shall, within fifteen (15) business days, schedule an inspection of the property to determine compliance with minimum standards and requirements as listed in Part A and B below; however, these minimum standards shall not be limited to other significant safety hazards that may be identified by the inspector during the inspection.

**A. Residential Properties:**

- Each dwelling unit must have a smoke detector installed in all common areas, including the basement, every designated bedroom and in every finished attic space;
- An existing acceptable 60 ampere service, or a minimum 100 ampere three (3) wire electric service, must be installed for the dwelling;
- All kitchen countertop receptacles and bathroom receptacles must be ground fault circuit interrupter protected;
- No basement or cellar may be used for habitable bedroom units;
- All properties must be supplied with clearly identifiable numbers (minimum of 4 inches tall) outside the property, in clear view of the street, designating the street number of the property;
- No illegal sewer/water connections, as defined under the applicable City policies;
- The property must be free from peeling or chipped paint
- The property must be free from infestation of insects or vermin.
- The property must have the proper permits, licenses **and Zoning approvals** if being used for anything other than single family owner occupied purposes

- The property must have a sufficient number of storage containers for solid waste
- Complies w/ Roommate Housing Ordinance or has previously obtained approval and registered as a non-conforming use from said requirement.
- Property, if used for rental purposes, has 1.5 off street parking spaces per unit or has received a Variance from the Zoning Hearing Board.

**The owner shall submit proof of insurance from an insurer licensed by the Commonwealth of Pennsylvania exhibiting the ability and responsibility to respond in damages for liability on account of damage sustained to the property arising out of including but not limited to fire or poor maintenance of the premises in the amount of \$ 50,000 for a single family structure and in the amount of \$15,000 per unit for a rental unit containing more than one unit, e.g., an apartment building or a structure in which is located more than one commercial or residential unit.**

- Copy of valid trash removal contract

#### **B. Non-Residential Properties**

- All existing Fire Alarm and Fire suppression systems must be maintained and functional.
- All required exits must be obtainable and free of obstructions.
- Proper permits, licenses and Zoning approvals must be in place if currently being used for Commercial/Industrial uses.
- All properties must be supplied with clearly identifiable numbers (minimum of 4 inches tall) outside the property, in clear view of the street, designating the street number of the property.
- No illegal sewer/water connections, as defined under the applicable City policies.
- The property must be free from infestation of insects and vermin.
- **The owner shall submit proof of insurance from an insurer licensed by the Commonwealth of Pennsylvania exhibiting the ability and responsibility to respond in damages for liability on account of damage sustained to the property arising out of including but not limited to fire or poor maintenance of the premises in the amount not to be of lesser amount of the appraised value of said structure.**



- Appropriate and approved fire extinguishers throughout the structure, mounted and functional.
- Food service establishment kitchen hood and suppression systems, if currently in use, must be tagged for approved use and be functional
- Property must be free from trash and debris accumulation in order to perform a safe and complete inspection.
- Exit signage and emergency lighting, if applicable, must be maintained and functional
- All mechanical systems must be free of combustible items (storage), a minimum of 36" away from appliances.

#### **§10-1204. Fees.**

**1. Administration Fee.** The fee for processing a health and safety inspection performed by a certified inspector: \$50.

#### **2. City Inspection Fee.**

**a. Residential properties:** The fee for a health and safety inspection by a Codes Enforcement Inspector at a residential structure shall be: \$150 plus any other associated administrative fees and costs, plus \$50 per unit for each unit in excess of three (3) units up to and including twenty four (24) units.

**b. High Rise Structures:** The fee for a health and safety inspection by a Codes Enforcement Inspector at a High Rise structure shall be: \$500 up to and including the 4<sup>th</sup> floor, plus \$75 for every 1,000 square feet additional area to be inspected, due to the increased time needed for additional elements to check, such as but not limited to the fire alarm systems, fire suppression systems, stair enclosures, stair pressurization, and elevator recall, elevator shafts, etc.)

**c. Commercial properties:** The fee for a health and safety inspection by a Codes Enforcement Inspector at a commercial structure shall be: \$500 for all spaces up to 5,000 square feet, plus an additional \$50 for every additional 1,000 square feet to be inspected.

**d. Combination Residential/Commercial properties:** The fee for a health and safety inspection by a Codes Enforcement Inspector of a residential/commercial structure shall be: \$150 for up to 2,000 square feet of commercial space to be inspected and \$50 for each additional 1,000 square feet of space, in addition to the \$150 fee for a residential property, up to three (3) units

**e. Freezer Boxes:** The fee for a health and safety inspection by a Codes Enforcement Inspector at a Freezer Box shall be: \$150 for up to 2,000 of space to be inspected and \$50 for each additional 1,000 square feet of space.

All Health and Safety Reviews at Commercial or Combination Residential/Commercial structure shall be done by a City Trades Inspector (Building, Electrical, Plumbing, HVAC, at a minimum).

An additional \$250 fee will be charged for more than one scheduled recheck at all properties.

3. All associated fees shall be paid to the Codes Enforcement Office prior to the time of the inspection. Notwithstanding the foregoing, buyer and seller shall not be prohibited from privately agreeing that buyer will reimburse seller for such fees.

**§10-1205. Penalty.**

1. Failure to sign an Agreement at settlement: \$500 and eviction from property if owner refuses take corrective actions.
2. Failure to submit to an inspection, as described in §10-1202 and associated with this ordinance: \$1000 and eviction from dwelling.
3. Failure to correct deficiencies identified in the report and/or within the terms of the rehab plan: \$1000 and eviction from dwelling.
4. Agent's failure to inform the seller about the terms of this Part shall be fined \$500.

**§10-1206. Regulations - Forms.**

The Codes Enforcement Office is hereby authorized to establish regulations, consistent with the provisions of this Part, to prepare and distribute forms to implement this Part and to set such criteria and provide for the qualifications and training as to applicable City ordinances and regulations of certified inspectors and to do any and all other acts as are necessary to implement the terms of this Part.

**§10-1207. Liability of City/Buyer/Inspector.**

1. The issuance of a review report is not in any way a representation or guarantee by the City or the City Inspector that the property is without violations or in compliance with the applicable ordinances and codes. Any such review shall not be deemed a "codes inspection" and is intended solely for the use of the City and is not intended to replace or supplement any private inspection of the condition of the property as may be deemed desirable by the property owner or other entities.
2. Neither the enactment of this Part nor the preparation and delivery of any document pursuant hereto shall impose any liability upon the City inspector or any errors or omissions contained in any report nor shall the City, City inspector bear any liability not

otherwise imposed by law. The owner of any property shall remain wholly liable for compliance with the City's Property Maintenance Code, Trades Codes, the Zoning Ordinances and any and all other applicable ordinances of the City.

3. Nothing herein shall be deemed to prevent a buyer and seller from entering into an agreement between them that the seller will reimburse buyer for or undertake the cost of any necessary renovations or repairs to make the property compliant with the City Property Maintenance Code or other ordinances.

BILL NO. \_\_\_\_\_

AN ORDINANCE

**AMENDING THE TOPOGRAPHICAL MAP OF THE CITY OF READING BY VACATING / ALTERING IN PART EAST WYOMISSING BOULEVARD BETWEEN LANCASTER AVENUE AND BROOKLINE STREET, REVISING, PERMANENTLY, THE TRAFFIC PATTERN AND REGULATIONS OF THE CITY OF READING TO ADD THE RESTRICTION OF ONE-WAY TRAVEL, NORTHBOUND, ON EAST WYOMISSING BOULEVARD FROM / BETWEEN LANCASTER AVENUE AND / TO BROOKLINE STREET AND TO PROHIBIT PARKING BY NON-EMERGENCY VEHICLES ON EAST WYOMISSING BOULEVARD FROM / BETWEEN LANCASTER AVENUE AND / TO BROOKLINE STREET**

**WHEREAS**, 53 P.S. §37916 requires an adoption of an Ordinance of council to vacate a street;

**WHEREAS**, City of Reading Codified Ordinance Section 15-102 requires all permanent traffic regulations occur by Ordinance;

**WHEREAS**, the City of Reading desires to construct a firehouse at 101 Lancaster Avenue;

**WHEREAS**, 101 Lancaster Avenue abuts East Wyomissing Boulevard;

**WHEREAS**, East Wyomissing Boulevard requires alteration thereto between / from Lancaster Avenue and / to Brookline Street to permit construction of a firehouse at 101 Lancaster Avenue;

**WHEREAS**, the Department of Public Works of the City of Reading has recommended the requisite alterations to East Wyomissing Boulevard between / from Lancaster Avenue and / to Brookline Street to permit construction of a firehouse at 101 Lancaster Avenue;

**WHEREAS**, the City of Reading Planning Commission by Resolution No. \_\_\_\_-\_\_\_\_ adopted \_\_\_\_\_, 2007, recommended that the said alterations be approved;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:**

**SECTION 1.** The topographical map of the City of Reading shall be amended by modifying, narrowing, altering and amending East Wyomissing Boulevard in the City of Reading between Lancaster Avenue and Brookline Street as follows:

East Wyomissing Boulevard between / from Lancaster Avenue and / to Brookline Street presently sixty-six feet (66') shall be narrowed to forty feet (40') from eastern curb line to new building line creating a distance of twenty-six feet (26') feet between curb lines per design approved by City of Reading Engineer;

**AND**

Travel of traffic on East Wyomissing Boulevard shall be altered to add a one-way direction of travel restriction between / from Lancaster Avenue and / to Brookline Avenue. Said one-way restriction of travel on East Wyomissing Boulevard between / from Lancaster Avenue and / to Brookline Avenue shall be solely in a north/northwest bound direction.

**AND**

To prohibit parking of all non-emergency vehicles along East Wyomissing Boulevard between / from Lancaster Avenue and / to Brookline Avenue.

**SECTION 2.** The Director of the Department of Public Works and/or the City Engineer is hereby authorized and directed to enter and record the above-described change in the Topographical Survey Book of Streets in the Department of Public Works. S/he is further directed to take all necessary steps to ensure proper signage of the aforesaid alterations to East Wyomissing Boulevard.

**SECTION 3.** The City Solicitor is authorized and directed to take such further steps in court or elsewhere as may be necessary to carry out the provisions of this Ordinance.

**SECTION 4.** All Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby repealed, insofar as they are inconsistent with this Ordinance.

**SECTION 5.** This Ordinance will become effective in ten (10) days, in accordance with Charter Section 219.

## **RESOLUTION NO. \_\_\_\_\_**

WHEREAS, on or about February 27, 2001, the City of Reading entered into a certain Construction and Term Loan Agreement for \$250,000.00 (FRED) with William M. McMahon, Jr., and Judith A. McMahon, his wife, as renovation financing for 230 N. Fifth St., Reading, PA; and

WHEREAS, on or about April 2, 2002, the City of Reading agreed to provide an additional \$100,000.00 to William M. McMahon, Jr., and Judith A. McMahon, his wife, for the 230 N. Fifth St. project; and

WHEREAS, William M. McMahon, Jr., and Judith A. McMahon, his wife, desire to sell subject premises of 230 N. Fifth St., Reading, PA; and

WHEREAS, the Construction and Term Loan Agreement for \$250,000.00 (FRED) and subsequent Mortgage and Term Loan Modification Agreement provide that the the outstanding principal balance shall be immediately due and payable after the date of closing for sale to a third party purchaser; and

WHEREAS, a third party purchaser has expressed interest in purchasing 230 N. Fifth St., Reading, PA, and is willing to assume the balance of any outstanding loan balance owed to the City of Reading by William M. McMahon, Jr., and Judith A. McMahon, his wife; and

WHEREAS, the City of Reading agrees to the assumption the subject loan and outstanding principal balance by a third party purchaser, NOW, THEREFORE

THE COUNCIL OF THE CITY OF READING HEREBY RESOLVES AS FOLLOWS:

That the Mayor of the City of Reading is authorized to enter into and execute any and all documents to effect the assumption by a third party purchaser of 230 N. Fifth St., Reading, Berks County, PA, of the outstanding principal loan balance of William M. McMahon, Jr., and Judith A. McMahon, his wife, owed to the City of Reading and arising from a certain Construction and Term Loan Agreement (2001) and a certain

Mortgage and Term Loan Modification Agreement (2002).

Adopted by Council \_\_\_\_\_, 2007

\_\_\_\_\_  
President of Council

Attest:

\_\_\_\_\_  
City Clerk

(Law)